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6 UNITED STATES DISTRICT COURT
7 CENTRAL DISTRICT OF CALIFORNIA
8 WESTERN DIVISION
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10 CURTIS D. ASKINS, } Case No. CV 01-10752 MMM (AN)
11 Petitioner, }
12 v. } ORDER APPROVING AND ADOPTING
13 A. A. LAMARQUE, } REPORT AND RECOMMENDATION OF
14 Respondent. } UNITED STATES MAGISTRATE JUDGE
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16 Pursuant to 28 U.S.C. § 636, the Court has reviewed the file, including the
17 Magistrate Judge's Report and Recommendation ("R&R") and Petitioner's Objections,
18 *de novo*. The Court finds that, while extensive, Petitioner's Objections, supporting
19 facts, and attached exhibits merely reiterate the arguments proffered in the Petition.
20 For example, Petitioner attaches affidavits from potential witnesses his trial attorney
21 allegedly failed to interview or call, yet Petitioner still does not show how testimony
22 by those witnesses would have overcome the evidence of his guilt.

23 IT IS ORDERED that:

24 1. The arguments raised in the Objections principally restate or rehash
25 arguments that Petitioner raised in his Petition, traverse, and supplemental traverse, and
26 lack merit for the same reasons discussed in the R&R. Therefore, the Objections are
27 OVERRULED for the same reasons set forth in the R&R.


28 2. The Report and Recommendation is approved and adopted.

1 3. Judgment shall be entered denying the Petition and dismissing this action
2 with prejudice.

3 4. All motions are denied as moot and terminated.

4 IT IS FURTHER ORDERED that the Clerk of the Court shall serve a copy of
5 this Order and the Judgment on all counsel or parties of record.

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8 Dated: AUG 20 2008, 2007


MARGARET M. MORROW
UNITED STATES DISTRICT JUDGE